

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
DEBORAH WOODS,

Plaintiff,

-against-

THE CITY OF NEW YORK, PORT AUTHORITY OF
NEW YORK AND NEW JERSEY AND POLICE/PEACE/
SECURITY OFFICER "JOHN DOE",

Defendants.
-----X

:
: Civil Action No. 15-cv-5167
:
:
: **DEFENDANT PORT**
: **AUTHORITY OF NEW**
: **YORK AND NEW JERSEY**
: **NOTICE OF REMOVAL**
:
:
:

Pursuant to 28 U.S.C. §§ 1441(a) and 1446, Defendant Port Authority of New York and New Jersey ("Port Authority") file this Notice of Removal of the captioned case to the United States District Court for the Eastern District of New York, from the Supreme Court of the State of New York, County of Queens, where the case is now pending. In support of this Notice, Defendant respectfully shows the Court the following:

1. This case was filed in the Supreme Court of the State of New York, County of Queens, on August 3, 2015, and is now pending as Index No. 9409/2015 in that Court.
2. Plaintiff brings this action, under state and federal law, claiming that defendants violated her "Civil Rights and constitutional guarantees and Bill of Rights ... under color of authority including but not limited to deprivation of life and liberties, the right to security of person and freedom from arrest, assault, and battery, the right to be informed to the true nature and cause of accusation against his right to equal protection." Verified Complaint ¶ 39. The Summons and Verified Complaint are attached hereto as Exhibit A.

3. This case is removable pursuant to 28 U.S.C. § 1441 because the United States District Court for the Eastern District of New York has original jurisdiction over this case by reason of federal question as set forth in 28 U.S.C. § 1331.

4. This Court is in the district embracing the place where the state court action is pending and is the appropriate court for removal pursuant to 28 U.S.C. § 1441(a).

5. The City of New York's Verified Answer is attached hereto as Exhibit B. Plaintiff's Affidavits of Service of the Summons and Verified Complaint on Defendants are attached hereto as Exhibit C. Port Authority was served on August 5, 2015. This Notice of Removal is being filed within thirty days after Port Authority was served with Plaintiff's Summons and Verified Complaint; thus, this removal is timely under 28 U.S.C. § 1446(b).

6. Port Authority will promptly serve Plaintiff and Defendant the City of New York with written notice of the filing of this Notice of Removal as required by 28 U.S.C. § 1446(d).

7. Defendant the City of New York consents to the filing of this Notice of Removal as required by 28 U.S.C. § 1446(b)(2)(A). *See* Declaration of Diane Westwood Wilson, Exhibit 1.

8. A copy of this Notice is being filed with the Clerk of the Supreme Court of the State of New York, County of Queens, as required by 28 U.S.C. § 1446(d).

9. The undersigned counsel is authorized by Port Authority to file this Notice of Removal, is licensed in the State of New York, and is a member in good standing of the Bar of this Court.


10. Accordingly, Defendant has satisfied the procedural requirements for removal pursuant to 28 U.S.C. § 1446.

11. Defendant, by virtue of filing this Notice of Removal, does not waive any defenses or objections available to it under all applicable laws.

WHEREFORE, Defendant Port Authority of New York and New Jersey respectfully requests that this case be removed from the Supreme Court of the State of New York, County of Queens, to this Honorable Court.

Date: New York, New York
September 4, 2015

DENTONS US LLP

By: 

Diane Westwood Wilson
230 Park Avenue
Suite 1700
New York, NY 10169
(212) 905-8330
(212) 922-1819 (facsimile)

Attorneys for Defendant
Port Authority of New York and New Jersey

TO: Mark J. Linder, Esq.
Harmon & Linder
3 Park Avenue, Suite 2300
New York, New York 10016
(212) 732-3665
Attorneys for Plaintiff

Zachary W. Carter, Esq.
Corporation Counsel
100 Church Street
New York, New York 10007

-and-

Jeffrey Casey, Esq.
Senior Counsel
New York City Law Department
89-17 Sutphin Boulevard, Room 489
Jamaica, New York 11435
Attorneys for Defendant The City of New York